



Federal and State Environmental Laws

A Partnership for Safe Chemical Weapons Destruction

The environmental laws regulating the Blue Grass Chemical-Agent Destruction Pilot Plant are based on federal laws, which, with one exception, are administered by the Kentucky Department for Environmental Protection (KDEP). The exception is the Toxic Substances Control Act, which is administered by the U.S. Environmental Protection Agency (EPA). The Blue Grass Army Depot and Bechtel Parsons Blue Grass work closely with federal, state and local agencies to ensure the destruction facility complies with all necessary environmental laws and regulations.

The Federal Environmental Regulations are found in Chapter 40 of the Code of Federal Register (CFR), which can be accessed at the following Web site:

http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl

The Kentucky Environmental Regulations are found in Title 401 of the Kentucky Administrative Regulations (KAR) at the following Web site:

<http://www.lrc.state.ky.us/kar/TITLE401.HTM>

Laws Impacting Airborne Emissions *Clean Air Act (1970)*

Federal Regulations: 40 CFR Volumes 2 through 18, Parts 50 through 99.

Kentucky Regulations: 41 KAR Chapters 60 through 68

- Provides for federal and interstate cooperation to maintain air quality.
- Authorizes states to enforce clean air regulations.
- Sets national air quality standards for pollutants.
- Requires facilities to identify public health hazards and implement plans to prevent accidents. The EPA and KDEP can require facilities to monitor, keep records, submit reports and utilize specific operational practices.

Laws Impacting Disposal Facilities and Waste Streams

Federal Water Pollution Control Act (1972)

Federal Regulations: 40 CFR Part

Kentucky Regulations: 41 KAR Chapter 5

In 1972 the Federal Water Pollution Control Act (FWPCA) established water quality standards and established a regulatory structure for controlling discharges of pollution into waters of the United States. The FWPCA, which was commonly known as the "Clean Water Act," made it illegal to discharge any toxic or non-toxic pollution without a permit, encouraged the use of the best available technology for pollution control, and provided Federal funding for constructing sewage treatment plants. The FWPCA also directed States to set water quality standards for waters other than those designated as interstate navigable waters, and to implement wetlands protection programs.

Clean Water Act Amendment (1977)

Federal Regulations: 40 CFR Part

Kentucky Regulations: 41 KAR Chapter 5

- Requires the use of "best practices" to control and contain toxic chemicals at disposal facilities
- Requires all industrial wastewater to be treated before being discharged into waterways.

FOR MORE INFORMATION CONTACT:

Blue Grass Chemical
Stockpile
Outreach Office
301 Highland Park
Drive, Richmond, KY
40475
(859) 626-8944
www.pmacwa.army.mil

Blue Grass Army Depot
Public Affairs Office
(859) 779-6221

Blue Grass Chemical
Activity Public Affairs
Office
(859) 779-6897

Resource Conservation and Recovery Act (1976)*Federal Regulations: 40 CFR Parts 260 through 270**Kentucky Regulations: 41 KAR Chapters 30 through 40*

- Includes rules to reduce emissions from hazardous waste management units.
- Requires that permits be issued before hazardous wastes can be stored, even in anticipation of destruction.
- Restricts potential locations of hazardous waste storage sites.
- Specifies when weapons are considered hazardous waste. Those identified as hazardous waste are subject to more stringent handling and storage requirements. Definitions of hazardous waste may vary from state to state.

Toxic Substances Control Act (TSCA) (1976)*Federal Regulations: 40 CFR Part 761**Kentucky Regulations: None – EPA has sole authority for the TSCA regulations*

- Regulates the storage and destruction of materials containing polychlorinated biphenyls (PCBs).
- Applies to stockpile disposal sites that will dispose of M-55 rockets, which have PCBs in their shipping and firing tubes.

Laws Protecting the Environment in General***Floodplain Management Act (1977)***

- Requires federal agencies to restore and preserve the natural values served by floodplains.
- Requires a study on the action's potential effects on floodplains

Protection of Wetlands Executive Order (1977)

- Requires federal agencies to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance them when acquiring, managing and disposing of federal lands and facilities.
- Requires agencies to consider public health, the maintenance of natural systems and other public uses of the wetlands when planning activities in these areas.

Endangered Species Act (1973)

- Provides a program for the conservation of threatened and endangered species and their habitats.
- Requires consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service if a listed species may be negatively impacted by federal actions.

National Environmental Policy Act (1969)

- Requires federal agencies to file an Environmental Impact Statement.
- Considers the environmental impacts and reasonable alternatives for major federal actions that could have a significant effect on human quality of life.